

ORIGINAL

IN THE UNITED STATES DISTRICT COURT

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

FOR THE SOUTHERN DISTRICT OF GEORGIA

SEP 13 AM 9:05

DUBLIN DIVISION

CLERK B. McCarthy  
SO. DIST. OF GA.

JOHN RICHARD MARTIN,

Petitioner,

v.

CV 306-063

MICHAEL PUGH, Warden,

Respondent.

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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. As Petitioner notes in his objections, he did not challenge any denial of eligibility in a residential drug abuse treatment program, work program, or vocational education opportunity in his original petition. Rather, the Petitioner only challenges the denial of eligibility to reside in a "halfway house" or, as defined in the Report and Recommendation, community correction center eligibility. This minor misstatement has no bearing on the analysis. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, the petition is **DISMISSED** without prejudice, and this civil action shall be **CLOSED**.

SO ORDERED this 13<sup>th</sup> day of September, 2006, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE